

Original Filed 3/16/07

NOT FOR CITATION
IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

CATHY ENWERE,

Plaintiff,

v.

TERMAN APARTMENTS, LP, d/b/a G & K
Management Co.

Defendant.

Case Number C 07-1239 JF

ORDER¹ GRANTING APPLICATION
TO PROCEED *IN FORMA PAUPERIS*

[re: docket no. 2]

Plaintiff, proceeding *pro se*, has filed a complaint alleging racial discrimination in housing. The complaint consists of factual allegations in narrative form. The crux of Plaintiff's allegations is that she made an appointment to see an apartment, but that when she arrived for the appointment and Defendant became aware of her race, Defendant refused to show her the apartment. The complaint does not cite relevant statutory sections or include a statement of jurisdiction.

On the same date, Plaintiff filed an application to proceed *in forma pauperis*. Pursuant to

¹ This disposition is not designated for publication and may not be cited.

1 28 U.S.C. § 1915, a district court may authorize the commencement of a civil action *in forma*
2 *pauperis* if the court is satisfied that the would-be plaintiff cannot pay the filing fees necessary to
3 pursue the action. 28 U.S.C. § 1915(a)(1). The Court is satisfied that Plaintiff cannot pay the
4 filing fee. The Court may deny *in forma pauperis* status, however, if it appears from the face of
5 the proposed complaint that the action is frivolous or without merit. *O'Loughlin v. Doe*, 920
6 F.2d 614, 616 (9th Cir. 1990); *Tripati v. First National Bank & Trust*, 821 F.2d 1368, 1370 (9th
7 Cir. 1987). While the *pro se* complaint in the instant case is not pleaded artfully and may require
8 amendment, the Court concludes that the action is not frivolous or without merit. The Court will
9 grant Plaintiff's application to proceed *in forma pauperis*. The Marshal shall affect service of
10 process. The Court counsels Plaintiff to seek legal representation in this matter.

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12 IT IS SO ORDERED.

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14 DATED: March 16, 2007.

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JEREMY FOCHEL
United States District Judge

1 This Order has been served upon the following persons:

2 Cathy Enwere

3 1263 Madura Ave.
4 Menlo Park, CA 94025